

purpose. That is not the case in the current claims as there is no expression similar to the one found in Ex Parte Slob.

The claims were also rejected under 35 U.S.C. § 112 as the relative terms "high internal surface area", "high capillary pressure", "low surface energy material" and "high internal phase emulsion" were cited as rendering the claims indefinite.

Claims 1-5 and 8-12 have been amended deleting the relative terms. The applicant believes that the rejections under 35 U.S.C. § 112, second paragraph have been overcome and respectfully requests that these rejections be withdrawn.


#### Rejections Under 35 U.S.C. § 102 and § 103

Claims 1-11 stand rejected under 35 U.S.C. § 102(e) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as being obvious over Ouellette et al. U.S. Patent No. 6,025,049. Ouellette et al is not prior art to the application as both Ouellette et al. and the application claim priority back to the exact same reference, i.e., application No. 08/268,404 filed on June 30, 1994. Therefore, the rejections under 35 U.S.C. § 102(e) and 35 U.S.C. § 103(a) should be withdrawn and the claims allowed.

#### CONCLUSION

No new matter has been added by the Amendment.  
Applicants respectfully request entry of this amendment and allowance of all claims. Early and favorable action is respectfully requested.

Respectfully submitted,

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**MARKED-UP VERSION****In the Claims:**

1. (Amended) An absorbent article, said absorbent article having a body surface and a garment surface and comprising:

a liquid permeable topsheet, said topsheet providing a barrier which inhibits rewet, wherein said topsheet has a compressibility of less than about 488 g/cubic cm;

a liquid impermeable backsheet disposed beneath said topsheet and joined thereto at least about a periphery of said absorbent article; and

an absorbent core disposed between said topsheet and said backsheet[, said absorbent core having a high internal surface area which creates a high capillary pressure to enhance absorption of bodily fluids deposited onto said body surface];

wherein said topsheet and said core cooperate to provide said absorbent article with a liquid strikethrough of less than about 55 seconds and a wetback of less than 30 milligrams.

2. (Amended) An absorbent article, said absorbent article having a body surface and a garment surface and comprising:

a liquid permeable topsheet, said topsheet providing a barrier which inhibits rewet, wherein said topsheet has a compressibility of less than about 488 g/cubic cm;

a liquid impermeable backsheet disposed beneath said topsheet and joined thereto at least about a periphery of said absorbent article; and

an absorbent core disposed between said topsheet and said backsheet[, said absorbent core having a high internal surface area which creates a high capillary pressure to enhance absorption of bodily fluids deposited onto said body surface];

wherein said topsheet and said core cooperate to provide said absorbent article with a drop acquisition time of less than about 30 seconds and a wetback of less than 30 milligrams.

3. (Amended) An absorbent article, said absorbent article having a body surface and a garment surface and comprising:

a liquid permeable topsheet, said topsheet providing a barrier which inhibits rewet,;

a liquid impermeable backsheet disposed beneath said topsheet and joined thereto at least about a periphery of said absorbent article; and

an absorbent core disposed between said topsheet and said backsheet[, said absorbent core having a high internal surface area which creates a high capillary pressure to enhance absorption of bodily fluids deposited onto said body surface];

wherein said absorbent article has a panel softness between about 30 and about 60 PSU and said topsheet and said core cooperate to provide said absorbent article with a drop acquisition time of less than about 30 seconds and a wetback of less than 30 milligrams.

4. (Amended) An absorbent article, said absorbent article having a body surface and a garment surface and comprising:

a liquid permeable topsheet, said topsheet providing a barrier which inhibits rewet, wherein said topsheet has a Surface Density of less than about 0.035 grams per cubic centimeter;

a liquid impermeable backsheet disposed beneath said topsheet and joined thereto at least about a periphery of said absorbent article; and

an absorbent core disposed between said topsheet and said backsheet[, said absorbent core having a high internal surface area which creates a high capillary pressure to enhance absorption of bodily fluids deposited onto said body surface];

wherein said topsheet and said core cooperate to provide said absorbent article with a drop acquisition time of less than about 30 seconds and a wetback of less than 30 milligrams.

5. (Amended) An absorbent article, said absorbent article having a body surface and a garment surface and comprising:

a liquid permeable topsheet, said topsheet providing a barrier which inhibits rewet;

a liquid impermeable backsheet disposed beneath said topsheet and joined thereto at least about a periphery of said absorbent article; and

an absorbent core disposed between said topsheet and said backsheet[, said absorbent core having a high internal surface area which creates a high capillary pressure to enhance absorption of bodily fluids deposited onto said body surface];

wherein said topsheet has a panel softness between about 30 and about 60 PSU and said topsheet and said core cooperate to provide said absorbent article with a drop acquisition time of less than about 30 seconds and a wetback of less than 30 milligrams.

8. (Twice amended) An absorbent article according to Claim 1 wherein said topsheet comprises a formed thermoplastic film material[s] having a plurality of macroapertures and a multiplicity of microapertures wherein land area between the microapertures and the macroapertures is also provided with a plurality of microscopic, discontinuous, spaced regions that comprise depositions of a [low surface energy] material that creates a surface energy gradient between the depositions and the underlying polymeric structure of the formed film.

9. (Twice Amended) An absorbent article according to Claim 7 wherein said topsheet comprises a nonwoven material[s] having depositions of a [low surface energy] material that creates a surface energy gradient between the depositions and the underlying polymeric structure of the nonwoven material.

10. (Twice Amended) .An absorbent article according to Claim 7 wherein said topsheet comprises a laminate of a nonwoven material and a formed apertured thermoplastic film, the nonwoven material having depositions of a [low surface energy] material on the surface thereof that is opposite to the surface joined to the thermoplastic film for forming the laminate, wherein the [low surface energy] material creates a surface energy gradient between the depositions and the underlying polymeric structure of the nonwoven material.

11 (Twice Amended) An absorbent article according to Claim 1 wherein said absorbent core comprises a polymeric foam formed from [a high] an internal phase emulsion.

12. (Twice Amended) An absorbent article according to Claims 10 wherein said absorbent core comprises [a blend of] chemically stiffened, twisted, and curled bulking fibers, [high surface area fibers,] and thermoplastic binding fibers.